REMARKS

In accordance with the foregoing, the specification and claims 2, 3, 4, and 7 have been amended. Claims 1, 5 and 6 have been cancelled without prejudice or disclaimer, and new claims 8 and 9 have been added. No new matter is presented and, accordingly, approval and entry of the foregoing amendments are respectfully requested.

Status of Claims

Claims 1-7 are rejected.

Claims 2, 3, 4, 7, 8, and 9 are pending and under consideration.

Item 3: Objection to Specification

In response to Item 3, Applicant has amended the specification to correct the various typographical errors notated in Item 3.

Item 4: Rejection of Claim 2 for Indefiniteness under 35 U.S.C. §112, Second Paragraph

The foregoing amendments to the specified claim 2 adopt the Examiner's suggestions for correcting same to over to overcome the §112, paragraph ¶2 rejection and, accordingly, is submitted to be free of the deficiency and in accordance with which the rejection should be withdrawn.

Item 5: Objections to Claims 3, 4 and 7

Claims 3, 4 and 7 have been amended adopting the Examiner's suggested changes to overcome the objection. Withdrawal of these objections is respectfully requested.

Item 9: Rejection of Claims 1-7 under 35 U.S.C. §102(e) as Anticipated by Riemers (U.S. Patent 6,615,242)

In the Office Action, at pages 7-12, claims 1, 5 and 6 were rejected under 35 USC § 102(e) as being anticipated by U.S. Patent No. 6,615,242 (hereinafter referred to as "the Riemers patent"). By this response, claims 1, 5 and 6 have been cancelled. In view of the cancellation thereof, it is respectfully submitted that the claim rejections under 35 USC §102 of these claims have become moot.

In the Office Action, at pages 7-12, claims 2, 4 and 7 were rejected under 35 USC § 102(e) as being anticipated by the Riemers patent. The rejection is respectfully traversed.

Applicant submits that claims 2, 4 and 7 patentably distinguish over the cited prior art, and that they are allowable for the recitations therein based on the following.

The Riemers patent does not anticipate claims 2-4 and 7 for the reasons that follow. Claims 2 recites, in part:

> "a first reception portion receiving first electronic mail from the second terminal device when the first electronic mail containing the first URL is decided to be unsolicited by the electronic mail receiver";
>
> "a domain extraction portion extracting a first domain name from the first URL";
>
> "a Web site specifying portion specifying a first Web site that delivers a first Web page indicated in the first URL by referring to the URL rule information based on the extracted first domain name";
>
> "an unsolicited site storage portion storing the extracted first domain name and a first site name of the first Web site as unsolicited site information in connection with the electronic mail receiver";
>
> "a second reception portion receiving second electronic mail containing a second URL from the first terminal device";
>
> "an unsolicited bulk electronic mail decision portion deciding whether or not the received second electronic mail is unsolicited depending on whether the second URL contains the first domain name and a the first site name"; and
>
> "a transmission portion transmitting the second electronic mail to the second terminal device only when the second electronic mail is decided not to be unsolicited by the unsolicited bulk electronic mail decision portion".

The invention of claim 2 exhibits a lot of advantages.

That is, in recent years, most of traders who deliver unsolicited bulk electronic mail have been taking artful measures to avoid blocking with filters disposed on electronic mail servers. Typical examples of such measures are:

> 1) To use secret language in a Web page indicated by a URL described in electronic mail and concealing some of characters in the Web page; and
>
> 2) To use image data obtained by, for example, scanning a printed material as content data of a Web page indicated by a URL described in electronic mail, instead of text data as the content data.

According to an aspect of the invention of claim 2, unsolicited bulk electronic mail can be distinguished regardless of the content of a Web page indicated by a URL, i.e., even if such artful measures as described in 1) or 2) above are being taken in a Web page indicated by a URL described in the electronic mail. Further, in general, there are a variety of formats for site names of Web sites. For example, a site name of an Internet Service Provider (hereinafter "ISP") subscriber is shown as "aaa.com/abc", "nifty.com/xyz" or the like by adding a subscriber identifier such as "abc" or "xyz" after the same domain name of the ISP such as "aaa.com". A

site name of an ISP subscriber is shown as "abc.aaa.com", "xya.nifty.com" or the like by adding a subscriber identifier before the domain name of the ISP. The rule for naming of a site depends on ISP's. In the event a Web site is of a person who owns a unique domain, the domain name of the Web site itself may mean a site name of the Web site.

An electronic mail server (or a computer) according to claim 2 can specify and store a site name of a Web site of a delivering trader of unsolicited bulk electronic mail regardless of the variety of formats for site names of Web sites, and further, can detect unsolicited bulk electronic mail. In addition, in the case where a receiver of electric mail receives electronic mail in which a URL guiding the receiver to a Web page of a delivering trader, i.e., a URL linking thereto is described, the site name of the Web site of the delivering trader can be registered in the electronic mail server, simply by transferring the electronic mail to the electronic mail server once.

In contrast, a "mail transfer agent", as recited in the Riemers patent retrieves a predetermined character string in information corresponding to a URL included in electronic mail, i.e., in a linked Web page or others and decides, based on the retrieval result, whether or not the electronic mail is unsolicited bulk electronic mail (hereinafter abbreviated as "SPAM").

Consequently, in some cases, the "mail transfer agent" recited in the Riemers patent cannot deal with the artful measures of 1) the above-mentioned. For instance, even if "replica watch" is being registered as a predetermined string in the mail transfer agent, the mail transfer agent cannot deal with the case in which a character string such as "replixx watch" wherein part of characters is concealed is employed in a Web page. Besides, the "mail transfer agent" described in the Riemers patent cannot deal with the artful measures as described as described in 2) above.

The Riemers patent describes deciding whether or not electronic mail is SPAM by searching a specific "URL" in the electronic mail (please refer to column 1, lines 32-36). The Riemers patent, however, fails to describe or suggest deciding whether or not electronic mail is SPAM by searching a "site name of a Web site".

As discussed above, there are a variety of formats for site names of Web sites. Accordingly, it is very troublesome for an administrator to specify a site name and then register the specified site name in a database.

Thus, the Riemers patent does not anticipate the invention of claim 2.

Further, neither of Kumar and Meyer et al. of record and not relied upon also discloses, either alone or in combination thereof, the invention of claim 2.

A claim is anticipated only if each every element set forth in the claim is found either expressly or inherently described in a single prior art reference (refer to MPEP, section 2131).

As explained above, Applicant submits that the Riemers patent does not teach a technical feature called for by claim 2 "an unsolicited bulk electronic mail decision portion deciding whether or not the received second electronic mail is unsolicited depending on whether the second URL contains the first domain name and the first site name", as recited in claim 2.

Hence, it is respectfully submitted that the reference does not anticipate claim 2.

Claims 3, 4 and 7 are allowable at least by virtue of their dependency, directly or indirectly, from allowable independent claim 2.

New Claims 8 and 9

New claims 8 and 9 are provided to afford a varying scope of protection. Entry and consideration are respectfully requested.

Conclusion

In view of the foregoing amendments and remarks, this application is considered to be in immediate condition for allowance, and an early reconsideration and a Notice of Allowance are courteously solicited. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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